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Attorney for Plaintiff.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RAJINDER SINGH,

Plaintiff,

v.

GERARD HEINAUER, ET AL.,

Defendants.

No. C 09-0684 BZ

PLAINTIFF'S NOTICE OF VOLUNTARY
DISMISSAL; [~~PROPOSED~~] ORDER

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff, Rajinder Singh, through counsel, requests that his mandamus complaint currently pending before the Court be dismissed without prejudice. Subsequent to the filing of his mandamus complaint, Defendants issued a final decision granting Mr. Singh's application for adjustment of status. Therefore, Plaintiff is no longer alleging that the Defendants are illegally delaying the adjudication of his application.

WHEREFORE, Plaintiff prays that this Court allow him to voluntarily dismiss his mandamus complaint, without prejudice.

DATED: March 6, 2009

Respectfully submitted,

/s/

Robert B. Jobe
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Attorney for Plaintiff

~~[PROPOSED]~~ ORDER

IT IS HEREBY ORDERED that Plaintiff's motion for dismissal of the action without prejudice be granted.

DATED: March 9, 2009



BERNARD ZIMMERMAN
UNITED STATES MAGISTRATE JUDGE